IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1642 OF 2005

IN

SUIT NO.1535 OF 2005

The Bombay Dyeing & Mfg.Co.Ltd. ...Plaintiff

vs.

Pantaloon Retail (India) Ltd. ...Defendant.

Mr.V.A.Bhagat, for Plaintiff.

Mr.Utkarsh Tiwari i/b. M/s.Shantilal & Co. for Defendant.

CORAM: D.K.DESHMUKH, J.
DATED: 20th OCTOBER,2006

P.C.:

. The learned Counsel appearing for defendant states that the defendant is not presently using mark in relation to which this Civil suit has been filed and that without seeking leave of the Court it will not use the trade mark. The statement is accepted.

. In this view of the matter therefore, no orders are necessary in the notice of motion. The Notice of motion is disposed of.